



Express Mail No. EV 475 141 158 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:	Stavenhagen <i>et al.</i>	Confirmation No.:	8663
Serial No.:	10/754,922	Art Unit:	1641
Filed:	January 9, 2004	Examiner:	To be assigned
For:	IDENTIFICATION AND ENGINEERING OF ANTIBODIES WITH VARIANT FC -- REGIONS AND METHODS OF USING SAME	Attorney Docket No:	11183-004-999 (505421-999003)

**RESPONSE TO NOTICE TO FILE
MISSING PARTS OF NONPROVISIONAL APPLICATION**

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application dated June 15, 2004 ("Notice"), a copy of which is attached hereto, respectfully submitted herewith are:

1. Replacement drawings (Figures 1-24; 50 sheets of drawing) in compliance with 37 C.F.R. §1.84 and 37 C.F.R. §1.121;
2. a Preliminary Amendment under 37 C.F.R. § 1.115;
3. a duplicate copy of the Notice;
4. Declaration and Power of Attorney executed by Jefferey Stavenhagen, Sujata Vijh, Christopher Rankin, Sergey Gorlatov, and Ling Huang on July 29, 2004 and July 30, 2004 respectively;
5. Power of Attorney By Assignee and Exclusion of Inventors under 37 C.F.R. §3.71 with Statement under 37 C.F.R. §3.73(b) executed by Scott Koenig on behalf of MacroGenics, Inc. Mr. Koenig is authorized to act on behalf of MacroGenics, Inc.;
6. A Petition for Extension of Time under 37 C.F.R §1.136 (a) for two (2)

months (with provision for required fee) is also enclosed; and

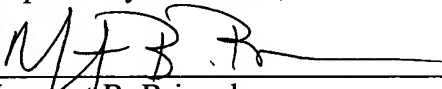
7. A Request to Correct Filing Receipt.

An executed Assignment has been submitted concurrently herewith (a copy of which is enclosed) for recordation with the United States Patent Office of the ownership interest of MacroGenics, Inc. in the above-identified application.

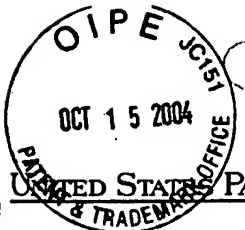
Pursuant to 37 C.F.R. §1.16(e), the surcharge required for filing of the Declaration is believed to be \$65.00. Please charge the required fee to Jones Day Deposit Account No. 50-3013, along with any deficiencies in fees due. A duplicate copy of this sheet is enclosed.

Date: October 15, 2004

Respectfully submitted,


Margaret B. Brivanlou 40,922
JONES DAY (Reg. No.)
222 West 41st Street
New York, New York 10017-6702
(212) 326-3939

Enclosures



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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/754,922	01/09/2004	Jeffrey Stavenhagen	11183-0004-999

20583
JONES DAY
222 EAST 41ST ST
NEW YORK, NY 10017

CONFIRMATION NO. 8663

FORMALITIES LETTER



OC000000012955539

Date Mailed: 06/15/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
 - Numbers, letters, and reference characters on the drawings must measure at least 0.32 cm (1/8 inch) in height. See Figure(s) 4,6,7,10.
 - The drawings submitted to the Office are not electronically reproducible. Drawing sheets must be submitted on paper, which is flexible, strong, white, smooth, non-shiny, and durable (see 37 CFR 1.84(e)). See Figure(s) 4,6,7.

The following item(s) appear to have been **omitted** from the application:

- Figure(s) **11b** described in the specification.

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and

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\$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h)) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

Applicant is advised that generally the filing fee required for an application is the filing fee in effect on the filing date accorded the application and that payment of the requisite basic filing fee on a date later than the filing date of the application requires payment of a surcharge (37 CFR 1.16(e)). To avoid processing delays and payment of a surcharge, applicant should submit any balance due for the requisite filing fee based on the later filing date being requested when submitting the omitted items(s) and the petition (and petition fee) requesting the later filing date.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (*i.e.*, the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabeled drawing figures, is required. A copy of the drawing figures showing the proposed changes in red ink should accompany with any drawing changes. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

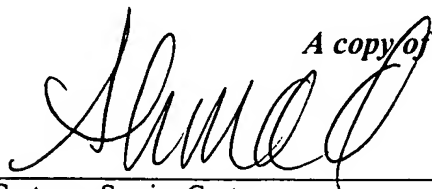
SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$65** for a Small Entity

- **\$65** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

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